

# Notice of Allowability

Application No.

10/785,521

Examiner

Tony Mahmoudi

Applicant(s)

EDMONDS, PAUL

Art Unit

2165

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on 03-January-2007.
2. ☒ The allowed claim(s) is/are 1-4, 6-12, and 14-16, re-numbered as claims 1-14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other \_\_\_\_\_

  
JEFFREY GAFFIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

## **DETAILED ACTION**

### ***Remarks***

1. In response to the Amendment filed on 03-January-2007, and in view of the Examiner's Amendment (details below) claims 1-4, 6-12, and 14-16 are pending in the application, of which claims 1, 11, and 16 are presented in independent form.

### ***Examiner's Amendment***

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. John J. Farrell (Attorney of Record) on 24-January-2007 (see enclosed Interview Summary, paper No. 20070124.)

Claim 16 is amended by the examiner as follows:

16. (Currently Amended) A computer program product having a computer readable medium having computer logic recorded thereon comprising:

code stored on a computer readable medium, which when executed would cause the computer to:

~~code for attempting~~ attempt by a first client to lock a header of a kernel file to prevent simultaneous access by other clients, wherein the kernel file is included in a queue, the header comprising : a count of a number of empty slots in the kernel file, a count of a number of slots that are either being filled or read by a client, a count of a total number of slots in the kernel file, an offset of a first slot that is ready to be read by a client, an offset of a first empty slot, and a queue priority of the first slot;

~~code for obtaining~~ obtain by the first client a lock of the header;

~~code for retrieving~~ retrieve by the first client a first unread queue entry from one of the slots;

~~code for unlocking~~ unlock by the first client the header;

~~code for reading~~ read by the first client the first unread queue entry; and

~~code for storing~~ store the first unread queue entry at the first client.

### *Allowance*

3. Claims 1-4, 6-12, and 14-16 are allowed over the prior art made of record.

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***Conclusion***

4. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (571) 272-4078. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached at (571) 272-4146.

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January 24, 2007

*Elaine P. DeBour*  
*Primary Examiner*